

Attorney Docket No. IMMR-114/00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Richard L. CUNNINGHAM

Serial No.: 10/803,080

Examiner: Unassigned

Filed: March 18, 2004

Art Unit: 2673

Confirmation No. 4170

For: **MEDICAL DEVICE AND PROCEDURE SIMULATION**

U.S. Patent and Trademark Office
220 20th Street South
Customer Window, Mail Stop Missing Parts
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Non-Provisional Application filed under 37 C.F.R. § 1.53(b) mailed June 2, 2004, enclosed are:

- ☒ copy of the Notice to File Missing Parts of Application
- ☒ executed Declaration
- ☒ Power by Assignee with copy of Assignment
- ☒ Information Disclosure Statement Transmittal, Information Disclosure Statement and PTO/SB/08A with copies of (122) cited references on enclosed CD
- ☒ Petition for Four-month Extension of Time
- ☐ Other:
- ☐ A copy of the Official Filing Receipt marked in red to show corrections that are needed. Please make the following corrections in the Official Filing Receipt:

Issuance of a corrected filing receipt is respectfully requested.

and the payment of the following fee(s):

- ☒ Filing fee of \$790.00
- ☒ Surcharge fee for Late Filing of Declaration of \$130.00
- ☒ Other fees: Four-month Extension Fee of \$1,530.00
- ☒ Claim Fees of \$480.00 (calculated below)

FOR:	Claims after Amend.	Claims Prev. = Paid	Extra Claims ¹	Small Entity Rate	Fee	Other Than a Small Entity Rate	Fee	Total Claim Fee
Total Claims	32	20	12	\$9		\$18		\$216.00
Independent Claims	6	3	3	\$44		\$88		\$264.00
Multiple Dependent Claims Not Previously Presented					\$150		\$300	\$0.00
TOTAL								\$480.00

Total Fee due: \$2,930.00.

☒ **Check in the amount of \$2,930.00 for the total fee is attached.**

☐ Please charge \$___ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

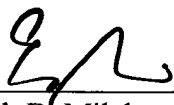
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: November 16, 2004

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5656
Tel: (703) 456-8000
Fax: (703) 456-8100

Respectfully submitted,
COOLEY GODWARD LLP

By:


Erik B. Milch
Reg. No. 42,887

IFW

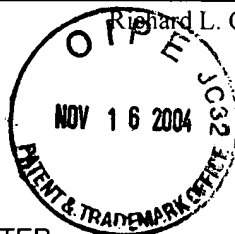


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/803,080	03/18/2004	Richard L. Cunningham	IMMR-114/00US

22903
 COOLEY GODWARD LLP
 ATTN: PATENT GROUP
 11951 FREEDOM DRIVE, SUITE 1700
 ONE FREEDOM SQUARE- RESTON TOWN CENTER
 RESTON, VA 20190-5061



CONFIRMATION NO. 4170

FORMALITIES LETTER



OC000000012839113

Date Mailed: 06/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/17/2004 SSITHIB1 00000001 10803080

FILED UNDER 37 CFR 1.53(b)

02 FC:1001	790.00 OP
03 FC:1051	130.00 OP
04 FC:1201	264.00 OP
05 FC:1202	216.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$474** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:


Total additional fee(s) required for this application is **\$1374** for a Large Entity

- **\$770** Statutory basic filing fee.

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$474**
 - **\$258** for **3** independent claims over 3.
 - **\$216** for **12** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE